

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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IN RE PORK ANTITRUST LITIGATION

Case No. 18-1776 (JRT/JFD)

This Document Relates To:

ALL ACTIONS BROUGHT BY DIRECT  
ACTION PLAINTIFFS

**PRETRIAL ORDER NO. 4**

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This order governs the process by which any future MDL DAP<sup>1</sup> shall join the Direct Action Plaintiffs' Consolidated Complaint and the process by which Defendants shall answer or otherwise respond to complaints filed by any future MDL DAP (or by which their prior Answer to the Direct Action Plaintiffs' Consolidated Complaint shall apply to Complaints filed by any future MDL DAPs).

**IT IS HEREBY ORDERED:**

1. Any future MDL DAP shall join the Direct Action Plaintiffs' Consolidated Complaint, dated December 5, 2022, ECF No. 1659 ("Consolidated Complaint") by filing a Notice of Joinder in the Consolidated Complaint ("Notice") within 14 days of being transferred to the MDL Court or if filed initially in the District of

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<sup>1</sup> "MDL DAP" shall be understood to mean any direct action plaintiff that joins this multidistrict litigation action.


Minnesota the Notice shall be the case initiating pleading.

2. The Notice of Joinder shall indicate:

- a. All MDL DAPs joining in the Notice;
- b. Any assignments on which the respective MDL DAP(s)' claims are based in whole or in part;
- c. The Defendants against which the future MDL DAP(s) is/are asserting its claim or claims and the claim or claims in the Consolidated Complaint that the future MDL DAP is joining;
- d. All alleged non-Defendant co-conspirators; and
- e. The definition of "Pork" adopted by the MDL DAP(s).

Defendants' Answers and affirmative defenses to the Consolidated Complaint and any order(s) from the Court on any dispositive motion relating to claims of all DAPs covered in the Consolidated Complaint, shall apply to such future MDL DAPs that join the Consolidated Complaint. However, if a Defendant maintains that one or more affirmative defenses uniquely applies to a future MDL DAP, the Defendant shall file a short form Answer identifying such affirmative defenses within 30 days of the Notice.

DATED: December 13, 2022  
at Minneapolis, Minnesota.

  
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JOHN R. TUNHEIM  
United States District Judge